

Minutes of Proceedings



LEGISLATIVE COUNCIL

WEDNESDAY, 26 MAY 2021

1.00pm

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Statement by President — Members' Education Seminars

The President made the following Statement —

The Clerk recently invited you to participate in our upcoming Member Education seminars. Next Tuesday evening during the dinner adjournment the Parliamentary Counsel, Mr Geoff Lawn and Deputy Parliamentary Counsel, Ms Una Couper will be providing an introduction to the Parliamentary Counsel's Office and an introduction to legislation. They will be returning in the coming weeks to discuss the drafting of Private Members' Bills.

In late June, the Honourable John Cowdell AM, former President of the Legislative Council, will be delivering a session with our Clerk Assistant (House) on how to ask an effective parliamentary question.

These seminars are an opportunity for new Members to develop their understanding of parliamentary processes and proceedings and provide a refresher for returning Members. I encourage all who are interested to attend.

3. Paper

The following Paper was laid on the Table by —

Leader of the House

Reports —

Main Roads Western Australia — Traffic Noise Assessment — Northlink Stage 3
(2020) 221

4. Cyclone Seroja and recent bushfires

Motion No. 1 having been called, debate resumed on the motion of the Leader of the House as follows —

That this House acknowledges the devastating impact that cyclone Seroja and the recent bushfires have had on Western Australian communities and commends our emergency services for putting themselves in danger to protect Western Australians and to ensure the recovery of those communities.

Question — put and passed.

5. Standing Committee on Environment and Public Affairs — Terms of Reference

Motion No. 2 having been called, Hon Dr Steve Thomas, pursuant to notice, moved —

That with reference to Recommendation 5 of the *Final Report of the Select Committee into Local Government*, the Terms of Reference of the Standing Committee on Environment and Public Affairs be amended as follows —

(1) To insert after Term of Reference 2.3(a) —

(a) matters relating to local government;

(2) To renumber the paragraphs that follow accordingly.

Debate ensued.

Question — put and negatived.

6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Dr Sally Talbot in the Chair)

Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament

The Leader of the House moved, That the Report be noted.

The Leader of the House moved, That further consideration of the report be postponed until the next sitting.

Debate ensued.

Question — put and passed.

The President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the —

Standing Committee on Procedure and Privileges — Report 61 — *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament* and postponed further consideration until the next sitting.

Report adopted.

7. Order of Business

Ordered — That Orders of the Day Nos 1, *City of Bunbury Public Places and Local Government Property Local Law 2020 — Disallowance*, 2, *Boxing Contest Rules 2020 — Disallowance*, 3, *Kickboxing Contest Rules 2020 — Disallowance*, 4, *MMA Contest Rules 2019 — Disallowance*, and 5, *Muay Thai Contest Rules 2020 — Disallowance*, be taken after Order of the Day No. 8, *Treasurer's Advance Authorisation Bill 2021*. (Leader of the House).

8. Business of the House

The Leader of the House advised the Council that the *COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2021* was COVID-19 related business, and pursuant to Temporary Order – COVID-19, set maximum time limits to apply to the debate.

9. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2021

The Order of the Day having been read for the adjourned debate on the second reading of this Bill. Debate ensued.

Question — put and passed.

Bill read a second time.

The President left the Chair.

In Committee

(Hon Dr Sally Talbot in the Chair)

Clause 1.

Debate ensued.

The Leader of the House representing the Minister for Emergency Services tabled a letter, dated 27 April 2021, from the Commissioner of Police to the Minister for Emergency Services in relation to amendments to the *Emergency Management (COVID-19 Response) Act 2020* and the *Criminal Code Amendment (COVID-19 Response) Act 2020*. (Tabled Paper 222).

Debate resumed.

The Leader of the House representing the Minister for Emergency Services moved, That the Deputy Chair report progress and seek to sit again at a later stage of this day's sitting.

Question — put and passed.

The President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again at a later stage of this day's sitting.

Ordered — That the Committee of the Whole House sit again at a later stage of this day's sitting.

10. Address-In-Reply

The Order of the Day having been read for the adjourned debate on the Address-in-Reply.

Debate resumed.

11. Distinguished Visitor

The President drew attention to the presence in the gallery of Hon Tom Stephens OAM, and, on behalf of Honourable Members, extended a warm welcome to him.

12. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Energy, by leave, incorporated into *Hansard* information in relation to apprentices at Western Power in the years 2019–2021, in response to a question without notice asked by Hon Dr Steve Thomas.

The Leader of the House representing the Minister for Emergency Services, by leave, incorporated into *Hansard* a list of agencies who are members of the State recovery coordination groups established after the Wooroloo bushfire and tropical cyclone Seroja, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Education and Training, by leave, incorporated into *Hansard* a breakdown of the total funding allocated to community kindergartens in 2021, in response to a question without notice asked by Hon Donna Faragher.

13. Address-In-Reply

Debate resumed on the Address-in-Reply (*see item 10 above*).

On the motion of Hon Pierre Yang the debate was adjourned to the next sitting.

14. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2021

Resumption of consideration of this Bill in Committee of the Whole House (*see item 9 above*).

The Deputy President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 1.

Debate resumed.

Clause agreed to.

Clause 2 agreed to.

Clause 3.

Debate ensued.

Interruption pursuant to order.

The President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

15. Members' Statements

Statements were taken.

16. Building and Construction Industry (Security of Payment) Bill 2021

The President reported the receipt of Message No. 6 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Commerce moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Commerce moved, That the Bill be read a second time.

The Parliamentary Secretary to the Minister for Regional Development on behalf of the Minister for Regional Development representing the Minister for Commerce tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 223).

Debate stands adjourned.

17. Joint Standing Committee on Audit — Establishment

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 8

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution –

That –

- (1) the terms contained in Legislative Council Message No. 2 for the establishment of the Joint Standing Committee on Audit be agreed to; and
- (2) the Legislative Council be acquainted accordingly.

Hon M.H. Roberts

Speaker

Legislative Assembly Chamber

Perth, 26 May 2021

18. Joint Standing Committee on the Corruption and Crime Commission — Appointment of Members

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 9

The Legislative Assembly acquaints the Legislative Council that for the present Parliament the Legislative Assembly has appointed the Member for Moore, and the Member for Kalamunda as members of the Joint Standing Committee on the Corruption and Crime Commission.

Hon M.H. Roberts

Speaker

Legislative Assembly Chamber

Perth, 26 May 2021

19. Joint Standing Committee on the Commissioner for Children and Young People — Appointment of Members

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 10

The Legislative Assembly acquaints the Legislative Council that for the present Parliament the Legislative Assembly has appointed the Member for Murray-Wellington, and the Member for Albany as members of the Joint Standing Committee on the Commissioner for Children and Young People.

Hon M.H. Roberts

Speaker

Legislative Assembly Chamber

Perth, 26 May 2021

20. Adjournment

The Council adjourned at 6.41pm until Thursday, 27 May 2021 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Kate Doust and Hon Alannah MacTiernan.

NIGEL PRATT

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council